



Atty. Dkt. No. 030307-0201

#1/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Svend Erik BORGESSEN

Title: A VENTRICLE DRAIN

Appl. No.: 09/911,833

Filing Date: 07/25/2001

Examiner: Unassigned

Art Unit: 3763

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Documents A1–A12, A14–A15, A17–A22, and A24–A40 are in English.

Document A13 relates to a cerebral pressure measuring probe screw.

Document A16 relates to a device for introducing brain probes.

Document A23 relates to a brain measurement probe insertion arrangement.

Documents A7-A10, A17, A23, and A27 came to the Applicants' attention during a search of the corresponding PCT application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the Examiner is attached.

An English translation of the foreign-language documents is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are attached.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 21 March 2002

By Stephen A. Bent

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PATENT TRADEMARK OFFICE

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PATENT AND TRADEMARK OFFICE EMPLOYEE**

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**TRANSMITTAL LETTER FOR
PROPRIETARY INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 and M.P.E.P. §§ 724 and 724.02**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached hereto is a Proprietary Information Disclosure Statement submitting proprietary information to the Patent and Trademark Office in accordance with the requirements of 37 C.F.R. § 1.56 and MPEP § 724. Applicant respectfully requests that the information be considered only by the Examiner in charge of the above-captioned application, or other authorized Patent and Trademark Office employee.

Respectfully submitted,

Date 21 March 2002

By 

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Examiner: Unassigned

Art Unit: 3763

**PROPRIETARY INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.56 AND MPEP §§ 724**

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is being submitted in accordance with applicant's duty of disclosure under 37 C.F.R. §1.56. The following applications, copies of which are enclosed, are commonly owned, co-pending applications:

U.S. Patent Application Serial No. 09/858,951, filed May 17, 2001; and

U.S. Patent Application Serial No. 09/949,993, filed September 12, 2001.

The above-mentioned applications are considered proprietary and are listed for consideration in accordance with M.P.E.P. §724.

Applicant assumes that the Examiner will have access to all of the references cited in the listed applications. However, if the Examiner wishes applicant to submit copies of each of the references cited in the listed applications, the Examiner is encouraged to inform applicant.

Applicant considers the aforementioned documents and the disclosure of their existence as pending applications to constitute proprietary information. Accompanying this Proprietary Information Disclosure Statement is a transmittal letter indicating that the materials contained herein are proprietary, as required by MPEP §724.02.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed in compliance with 37 C.F.R. §1.97(b) prior to the mailing date of the first official action. No fee is due.

Applicant respectfully requests that the listed applications be considered by the Examiner, but that such applications be treated as proprietary information in accordance with M.P.E.P. §724.

Respectfully submitted,

Date 21 March 2002

By S. A. Bent

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